

# **Incorporation/Annexation Status Report As of February 2005**

## **Municipal Advisory Committees**

### **Biscayne Gardens**

The Biscayne Gardens Municipal Advisory Committee (MAC) is now preparing its proforma budget.

### **Cutler Ridge**

On January 11, 2005, Cutler Ridge voters approved the creation of a new municipality, with 59% of votes cast in favor of incorporation. A resolution creating a charter commission is now in preparation.

### **Fisher Island**

The first public hearing took place on January 5, 2005. Around 150 Island residents participated. The MAC invited special guests to discuss the benefits of incorporation. The guests included County Commissioner Bruno Barreiro, the Mayors of the City of Doral and Sunny Isle Beach and the Manager of Indian Creek Village. A predominant concern of the public was how Fisher Island would maintain its privacy status as an incorporated municipality. Subsequently, a meeting of the MAC took place on January 26<sup>th</sup>. MDPD attended the meeting to explain the meaning of local patrol and to affirm that their original recommendation of a minimum staffing requirement of 17 people remains as their proposal for the proposed municipality. The MAC had requested that MDPD give them a proposal that better represented the needs of their area. The MAC's contention is based on the low number of residents (467), the low average number of calls for service (3.5% in 2003 or 342 calls) and the low average number of Part I offenses (22 during the last three years). The MAC contents that a police force of seventeen people and an annual cost of 2.1 million is an unrealistic proposal for an area that it is composed of private roads. The MAC stressed that their incorporation effort is not to seek the policing of privately own roads and noted that the only public area of the proposed municipality would be around 400 square feet. The MAC vehemently rejects Miami Dade Police Department's (MDPD) proposal and noted that MDPD's definition of local patrol may have to be tested in court. The MAC requested that MDPD provide them with a written statement stating that the 2.1 million proposal is their final recommendation.

### **Fontainebleau**

The proposed incorporation of Fontainebleau item was heard before the Planning & Advisory Board (PAB) on January 10, 2005. The PAB recommended denial (unanimously) of the proposed incorporation. The item will be forwarded to the Infrastructure and Land Use Committee.

## **Goulds**

The MAC met on January 11, 2005 and discussed its position against the Redland petition for incorporation presented to the County. The MAC stated that such petition represents a "bad-faith" effort in light of the mediation work with the Florida Conflict Resolution Consortium (FCRC). The MAC requested that staff schedule County departments to make presentations to the MAC for a second time. Those presentations would be for the benefit of the three appointments to the MAC that Commissioner Sorenson made and for the benefit of the community within District eight boundaries that were not part of the Goulds MAC when the initial presentations were made. In addition, the MAC requested to meet only once a month instead of the current every third week schedule. The next meeting is scheduled for February 8<sup>th</sup>. It is anticipated that Commissioner Sorenson's appointment will be at that meeting since the Clerk of the Board has sent all the necessary paperwork to the appointees.

## **North Central Dade**

The proposed incorporation item was heard on December 6, 2004 at Miami Central High School at 6:00 PM by the PAB. The PAB recommended denial (unanimously) of the proposed incorporation. The item will be forwarded to the Infrastructure and Land Use Committee.

## **Northeast Dade**

The MAC met on December 15, 2004. The members signed a resolution to submit its report to the Board of County Commissioners (BCC) and thus completed its study of the area. The staff report is being compiled to present to the Boundaries Commission.

## **PLANT (Princeton, Leisure City, and Naranja)**

The PLANT MAC (PMAC) met on September 16, 2004 and discussed their pro-forma budget. The PMAC decided not to meet again until they had more information from the FCRC concerning their desire to expand its boundaries. The PMAC chairperson said he would contact the FCRC as to their status.

## **Redland**

The Redland MAC (RMAC) had their last meeting on January 22, 2004. The major discussion item was Commissioner Sorenson and Commissioner Moss' resolution. The RMAC has conflicts with Goulds and PLANT concerning the boundaries and is currently in negotiations with the FCRC.

# **Annexations**

## **Davis Ponce**

The Davis Ponce report was presented to the Boundaries Commission on September 1, 2004. The Boundaries Commission recommended that the item be deferred by the PAB and the BCC until the entire enclave (which consists of the Davis Ponce and High Pines

area) is annexed to the City of Coral Gables. The PAB met on November 8, 2004 and made the same recommendation. It is anticipated that the Davis Ponce annexation application will be scheduled for a public hearing at the March meeting of the Infrastructure and Land Use Committee.

### **Doral**

The Doral application went before the BCC on September 9, 2004. The BCC did not accept the application. The Board gave the Manager 120 days to mediate mutually agreeable boundaries with Virginia Gardens, Medley, and Miami Springs. The cities last met on January 31, 2005.

### **Florida City**

The Florida City application has been approved by the Boundaries Commission and rejected by the Planning Advisory Board (PAB). It is tentatively scheduled to be reviewed by the Infrastructure and Land Use Committee on February 8, 2005.

### **Homestead**

The City of Homestead annexation item was presented to the Boundaries Commission (BC) on January 19, 2005. The members recommended approval of the proposed annexation, 3 votes to 2. The item is tentatively scheduled to be heard by the PAB in March 2005.

### **Medley**

The Medley application went before the BCC on September 9, 2004. The BCC did not accept the application. The Board gave the Manager 120 days to mediate mutually agreeable boundaries with Doral, Virginia Gardens, and Miami Springs. The cities last met on January 31, 2005.

### **Miami Shores**

An annexation application was received from the Village of Miami Shores on November 26, 2004. The application has been accepted by the BCC and a staff report is now in preparation. It is anticipated that the application will be presented to the Boundaries Commission in February 2005.

### **Miami Springs**

The Miami Springs application went before the BCC on September 9, 2004. The BCC did not accept the application. The Board gave the Manager 120 days to mediate mutually agreeable boundaries with Doral, Virginia Gardens, and Medley. The cities last met on January 31, 2005.

### **Sweetwater**

An annexation application has been filed by the City of Sweetwater. The application is in response to the 1997 BCC resolution to proceed with an annexation application initiated

by the County. The application is scheduled for the February 1<sup>st</sup> BCC meeting as a Clerk of the Board report item.

### **Virginia Gardens**

The Virginia Gardens application was accepted by the BCC on September 23, 2003. On September 9, 2004, The Board gave the Manager 120 days to mediate mutually agreeable boundaries with Doral, Medley, and Miami Springs. The cities last met on January 31, 2005.

## **Transition Cities**

### **Doral**

The City of Doral Roads Transfer Agreement was approved by the BCC on January 20, 2005. The agreement is in the process of being signed by County Management. The Parks Agreement (approved by the BCC on December 14, 2004) has been signed and a copy has been forwarded to the City of Doral.

### **Miami Gardens**

All interlocal agreements with the City of Miami Gardens have been completed and recorded. The deeds to three parks have not been transferred due to funding and construction issues.

### **Palmetto Bay**

The City of Palmetto Bay Road Transfer Agreement was reviewed by the GOE Committee on December 7, 2004 and received final BCC approval on January 20, 2005.

## **Additional Information**

### **Redland Petition**

The BCC deferred consideration of this petition for incorporation at their December 14, 2004 meeting. The petition was received by the Clerk of the Board on May 17, 2004 and has been certified by the Elections Department. No date certain was established by the board for future consideration of the petition.

### **Infrastructure and Land Use Committee (ILUC)**

Several ordinances affecting incorporations and/or annexations will be heard by ILUC on February 8, 2005.